

FILING A SMALL CLAIMS APPEAL

What You Need To Know:

You have recently received a hearing before a judge of the Justice Court of the State of Utah. The Judge has ruled against you in this case and you wish to appeal the judge's decision. What should you know and what should you do to assure you follow the proper procedures to submit your appeal? The following information is listed for your use to assure proper procedures are followed when you submit your notice of appeal.

The Notice of Appeal

You are required to file a Notice of Appeal with the clerk of the Justice Court from which you are appealing.

The Limit in Which to File the Notice of Appeal

You must file an appeal within thirty (30) calendar days of the date judgment is rendered against you in court.

Fees To Be Paid Upon Filing the Notice of Appeal

Instead of going to the Utah Court of Appeals, your case will be heard as trial de novo. The filing fees for a trial de novo will be \$75.00, which is payable to the Justice Court at the time of filing the Notice of Appeal. Failure to pay this fee will prohibit further consideration of the appeal.

Service of Notice of Appeal

Either the Plaintiff or the Defendant may file a small claims appeal. You must give notice to each party to the judgment that you are appealing. Notice is given by serving personally or mailing a copy of your Notice of Appeal to the attorney for each party or, if the party is not represented by counsel, directly to the party at their last known address.

The trial de novo will be heard by another judge in the 5th District Court.

These directions are to assist you in preparing the **Notice of Appeal** document. The **Notice of Appeal** document must be filed with the Justice Court from which you are taking an appeal within thirty (30) calendar days of the date judgment was rendered in the Justice Court.

_____ NAME	Plaintiff(s))	NOTICE OF APPEAL
_____ STREET ADDRESS)	
_____ CITY, STATE, ZIP)	
)	
)	
VS.)	Case No. _____
)	
)	
_____ NAME	Defendant(s))	
_____ STREET ADDRESS)	
_____ CITY, STATE, ZIP)	

I certify that I mailed a copy of this Notice of Appeal to the [] Plaintiff [] Defendant at the above address on this date.

Signed, [] Plaintiff [] Defendant: _____